

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) 4:08CR3174  
                              )  
Plaintiff,                 )  
                              ) **MEMORANDUM**  
vs.                         ) **AND ORDER**  
                              )  
ILDEFONSO MONTOYA-VASQUEZ, )  
                              )  
Defendant.                 )

IT IS ORDERED that:

- (1) The government's motion to continue trial (filing 38) is granted.
- (2) Trial of this case as to Defendant Montoya-Vasquez is continued to December 14, 2009, before the undersigned United States district judge, as the number one criminal case, for three days, in Lincoln, Nebraska. Since this is a criminal case, the defendant shall be present unless excused by the court.
- (3) The time between today's date and the new trial date is excluded under the Speedy Trial Act and in the interest of justice. See 18 U.S.C. § 3161.

Dated October 13, 2009.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge